

FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

2016 JUN 15 PM 12:20

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOHN VILLARREAL, JR.,

Defendant.

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CRIMINAL NO. BY
SA 16 CRU 435
INDICTMENT

DAE

[Ct 1: 21 U.S.C. §§841(a)(1) & (b)(1)(A)
Possession with Intent to Distribute
Methamphetamine; Ct 2: 18 U.S.C.
§924(c) Carrying Firearms During and in
Relation to a Drug Trafficking Crime]

THE GRAND JURY CHARGES:

COUNT ONE

[21 U.S.C. § 841(a)(1) & (b)(1)(A)]

That on or about May 26, 2016, in the Western District of Texas, Defendant,

JOHN VILLARREAL, JR.,

did unlawfully, knowingly, and intentionally possess with intent to distribute a controlled substance, which offense involved 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) & 841(b)(1)(A).

COUNT TWO

[18 U.S.C. § 924(c)]

That on or about May 26, 2016, in the Western District of Texas, Defendant,

JOHN VILLARREAL, JR.,

did knowingly use and carry firearms, to wit: a Beretta USA Corporation, model Pico, .380 caliber pistol, serial number APC009671, a Marlin, model 336cs, 35 caliber rifle, serial number 12086895, and a Savage, model Stevens 520, 12 gauge shotgun, no serial number, during and in

relation to, and did possess said firearms in furtherance of, a drug trafficking crime that may be prosecuted in a court of the United States, that is Possession with Intent to Distribute 50 grams or more of methamphetamine, in violation of 21 United States Code §§841(a)(1) & (b)(1)(A), as further described in Count One, all in violation of Title 18, United States Code, Section 924(c).

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE

[See Fed. R. Crim. P. 32.2]

This Notice of Demand for Forfeiture includes but is not limited to the properties in Paragraph III.

I.

Drug Violations and Forfeiture Statutes

**[Title 21 U.S.C. §§ 841(a)(1) and (b)(1)(A), subject to forfeiture pursuant to
Title 21 U.S.C. §§ 853(a)(1) and (2)]**

As a result of the foregoing criminal violations set forth in Count One, the United States of America gives notice to Defendant **JOHN VILLARREAL, JR.**, of its intent to seek the forfeiture of the properties described below upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 21 U.S.C. §§ 853(a)(1) and (2), which states:

Title 21 U.S.C. § 853. Criminal forfeitures

(a) Property subject to criminal forfeitures.

Any person convicted of a violation of this subchapter or subchapter II of this chapter punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law.--

(1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;

(2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation; . . .

II.

Firearm Violations and Forfeiture Statutes

**[Title 18 U.S.C. § 924(c), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), made
applicable to criminal forfeiture by Title 28 U.S.C. § 2461]**

As a result of the criminal violation set forth in Count Two, the United States of America

gives notice to Defendant **JOHN VILLARREAL, JR.**, of its intent to seek the forfeiture of the below described properties upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461, which states:

Title 18 U.S.C. § 924. Penalties

(d)(1) Any firearm or ammunition involved in . . . knowing violation of section 924 . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter

III.
Personal Properties

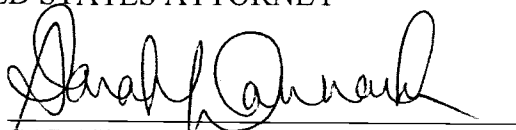
1. **Beretta USA Corporation, model Pico, .380 caliber pistol, serial number APC009671;**
2. **Marlin, model 336cs, 35 caliber rifle, serial number 12086895;**
3. **Savage, model Stevens 520, 12 gauge shotgun, no serial number; and**
4. **Any assorted ammunition and firearm accessories.**

A TRUE BILL


FOREPERSON OF THE GRAND JURY

RICHARD L. DURBIN, JR.
UNITED STATES ATTORNEY

BY:



SARAH WANNARKA
Assistant United States Attorney